



**Transportation
Security
Administration**

**OFFICE OF INFORMATION TECHNOLOGY
Information Management Programs Section**

**TSA MANAGEMENT DIRECTIVE No. 200.19
ELECTRONIC RECORDS MANAGEMENT**

To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

1. **PURPOSE:** This directive provides TSA policy and procedures for managing Electronic Records. Detailed explanations of procedures can be found on the TSA Records Management iShare site and in the Records Management Handbook.
2. **SCOPE:** This directive applies to all TSA employees and contractors with regard to handling TSA electronic records, regardless of format or medium, from creation or receipt to destruction or retirement for permanent safekeeping.

3. AUTHORITIES:

A. Federal Statutes:

- (1) [Public Law 107-347](#), The E-Government Act of 2002
- (2) **The Federal Records Act of 1950**, codified at 44 U.S.C. Chapters 21, 29, 31 and 33, establishes the framework for records management programs in Federal agencies. Agencies must “make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency,” and must “establish and maintain an active, continuing program for the economical and efficient management of the records of the agency.” Furthermore, agencies may not destroy records except in accordance with the procedures in 44 U. S. C. Chapter 33
 - (a) [44 U.S.C. § 3101](#) – Records Management by Agency Heads; General Duties
 - (b) [44 U.S.C. § 3102](#) – Establishment of Records Management Program
- (3) [Title 18, U.S.C. § 2071](#), establishes criminal penalties for the unlawful concealment, removal, or destruction of Federal records

B. Regulations:

- (1) Executive Order 12958, Classified National Security Information
- (2) [Title 36 CFR, Parts 1220 through 1238](#), contain National Archives and Records Administration (NARA) regulations that affect the records management program of Federal agencies

C. DHS and TSA Directives and Policies:

- (1) National Security Presidential Directive (NSPD 51)/Homeland Security Presidential Directive (HSPD 20)
- (2) Office of Management and Budget (OMB) Circular A-130, Management of Federal Information Resources
- (3) [Presidential Memorandum \(M-12-18\) – Managing Government Records Directive \(8/24/2012\)](#), provides guidance and timelines for the heads of executive departments and agencies regarding federal records management
- (4) DHS Directive 141-01, *Records and Information Management*
- (5) TSA Management Directive 200.9, *Vital Records Program*

4. DEFINITIONS:

- A. Approving Official for Records: A senior management official designated by the head of TSA, or his/her designee, with authority to approve actions for a TSA Headquarters (HQ) office or airport (e.g., Administrator, Deputy Administrator, Assistant Administrator, Federal Security Director, Assistant Federal Security Directors, or equivalents).
- B. Classified Records: Records or information requiring, for national security reasons, safeguards against unauthorized disclosure.
- C. Electronic Information System (EIS): A system that contains and provides access to computerized Federal records and other information. It includes inputs and outputs that are generated, as well as the master files. The system may contain budgetary, fiscal, social, economic, scientific, technical, or program-related data and information, operated in support of agency programs and management responsibilities.
- D. Electronic Records: Numeric, graphic, and text information (e.g., Microsoft Office Suite documents and email), which may be recorded on any medium capable of being read by an electronic device and which satisfies the definition of a record. This includes, but is not limited to, magnetic media, such as tapes and disks (e.g., laptop C drive and H drive), and optical disks. Unless otherwise noted, records management requirements apply to all electronic information systems, whether on microcomputers, minicomputers, or mainframe computers, regardless of storage media, in network or stand-alone configurations.
- E. File Plan: A document “road map” containing information about an office's files that may be used along with or instead of the comprehensive records schedule. A File Plan contains information such as the records series or file titles, a brief description of the records, location(s), and disposition instructions. The File Plan provides a standardized records classification scheme based on the specific functions of an organization, office, division or branch. A File Plan improves filing, enhances access and retrieval, and supports the use of Records Disposition Schedules.

- F. General Records Schedule (GRS): Issued by the Archivist of the United States under the authority of 44 U.S.C. 3303a(d) to provide agencies with disposition authority for records common to several or all agencies of the Federal Government. The GRS refers to the entire set of schedules, but GRS is commonly used to refer to a single Schedule within the whole. These schedules authorize, after specified periods of time, the destruction of temporary records or transfer of permanent records to the National Archives of the United States (NARA).
- G. Litigation Hold Notice: The instructions for locating and ensuring the retention of records, including electronically stored information, subject to preservation obligation, which governs records that may become relevant to pending or threatened litigation.
- H. Permanent Records: Records appraised by NARA as having sufficient historical or other value to warrant its preservation in the National Archives of the United States.
- I. Records: Pursuant to 44 U.S.C. § 3301, the term: “includes all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them; and does not include library and museum material made or acquired and preserved solely for reference or exhibition purposes; or duplicate copies of records preserved only for convenience.”
- J. Records Custodian: A TSA staff member appointed by a functional area/office-of-record’s Director or decision-making official, via TSA Form 230, *Records Liaison Appointment*, to manage records, operating at the Division level and below in HQ Offices and field locations.
- K. Records Disposition Schedule (RDS): The document that describes agency records, establishes retention periods, and provides mandatory instructions and corresponding authorities for the disposition (i.e., destruction, deletion and/or transfer for permanent retention) of agency records (and nonrecord materials) no longer needed for current Government business. The Records Disposition Schedule must be approved by NARA before implementation (*i.e.* it is arranged by subject with corresponding Series and Sub-series numbers). Also referred to as a Records Schedule, Records Disposition Schedule, Records Control Schedule, Records Retention Schedule, Records Retention and Disposition Schedule, or simply Schedule.
- L. Records Liaison: A TSA employee appointed by an Approving Official above the division level, via TSA Form 230, *Records Liaison Appointment*, with authority to serve as a designated representative and liaison contact for their respective HQ Office or field location (e.g., Airport, Mission Support Center, etc.), operating at the TSA Office level, regarding records management activities and issues. Records Liaisons, in coordination with guidance provided by IMPS, assist with the organizing and maintaining an office’s records and ensuring that recordkeeping best practices are followed. Acts as point of contact for, and provides guidance to, Records Custodians at the Division level and below. Please refer to the [Records Liaison Guide](#) on the TSA Records iShare page.

- M. Records Management: The planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations.
- N. Temporary Records: Records approved by the Archivist of the United States for disposal, either immediately or after a specified retention period.
- O. Unscheduled Records: Records whose final disposition has not been approved by NARA. Unscheduled records are potentially permanent and must be maintained as permanent records, until the records have been appraised and scheduled with NARA. Unscheduled records may not be destroyed or deleted. You may find unscheduled records when new programs are created or new systems developed.
- P. Vital Records: Records essential to support the agency's continued functioning or reconstitution in the event of an emergency. Vital Records contain critical information needed to re-establish the organization that could not be replaced at any cost, or whose loss or destruction would result in grave business consequences, such as loss of customer base or production capability. Vital Records also include records essential to protecting the rights and interests of that organization and of the individuals directly affected by its activities. Generally, only three to seven percent of an agency's information is considered a vital record.

5. RESPONSIBILITIES:

- A. Approving Officials for Records are responsible for:
 - (1) Ensuring that their organizations manage records in accordance with established Records Management policy and procedures, to include identification of vital records;
 - (2) Appointing a Records Liaison to manage the Records Management Program within their HQ Office or field location via TSA Form 230; and
 - (3) Ensuring that Division-level managers assign Records Custodians sufficient to cover Records Management needs for every functional area.
- B. Senior Agency Official (SAO) for Records is responsible for:
 - (1) Leading, planning, guiding, and providing general oversight of records management for the TSA, and its incorporation into the broader information resources management framework;
 - (2) Implementing a records management program that is consistent with statutory and regulatory requirements, and TSA directives, policies and procedures;
 - (3) Coordinating records management issues with other federal agencies, including federal oversight agencies such as the Office of Management and Budget, National Archives and Records Administration (NARA), and the General Services Administration; and

- (4) Providing on-going evaluations of the TSA records management program to assess its effectiveness.

C. The Chief Information Officer (CIO) is responsible for:

- (1) Directing, coordinating, controlling, and ensuring the adequacy of TSA plans and programs for Information Management Programs Section (IMPS);
- (2) Designating and exercising an individual to serve as TSA's Agency Records Officer (ARO), including its immediate oversight of the records management program;
- (3) Ensuring that records management requirements are considered and addressed prior to approval and deployment of agency information technology systems and resources; and
- (4) Establishing procedures that address records management requirements, including recordkeeping requirements and disposition, before approving new media and technology for conducting official business. Such media and technology may include electronic mail, optical images, electronic and digital signatures, wireless communication, and others.

D. The Information Management Programs Section (IMPS), led by the Agency Records Officer is responsible for:

- (1) Maintaining a records management program for the efficient management and control of all TSA records in accordance with applicable laws and regulations;
- (2) Developing agency-wide policies, procedures, and related communications involving the records management program and activities;
- (3) Developing and implementing a training program that complements and supplements existing agency, NARA, and other records management training programs;
- (4) Providing agency oversight, review and evaluation of records management activities, including managing the Staff Assistance Visit (SAV) program to monitor and assess the agency's Records Management program, to include the field offices;
- (5) Obtaining the approval of the Archivist of the United States for media neutral records disposition schedules for TSA records;
- (6) Providing records management technical direction and administrative guidance to Records Liaisons, and ensuring all other assigned records management personnel are trained accordingly;
- (7) Providing Records Liaisons with all information and guidance pertaining to Litigation Hold Notices; and
- (8) Developing and implementing a Vital Records program, and Managing the identification and organization of TSA Vital Records and the individual office's Vital Records Plans to

- (9) be provided to TSA's Continuity of Operations Plan Manager in accordance with 36 CFR Part 1223.

E. Records Liaisons are responsible for:

- (1) Complying with records management guidance and direction provided by the ARO/IMPS, including completion of agency records management training for all staff;
- (2) Promoting established TSA standards and guidelines to carry out the scope, mission, and objectives of the Records Management program;
- (3) Providing basic technical assistance and guidance within their respective HQ Offices and/or field locations to ensure that records management activities throughout the office are consistent with this Directive and corresponding guidance;
- (4) Ensuring identification and organization of Vital Records in accordance with TSA MD 200.9, *Vital Records Program*;
- (5) Acting as point of contact for Records Custodians in subordinate HQ Divisions and below, and field location offices; and
- (6) Working with Records Custodians to ensure electronic records (documents and email) for departing employees are properly saved, dispositioned and/or destroyed subject to applicable records disposition schedules (RDS and GRS) and Litigation Hold Notices.

F. Records Custodians are responsible for:

- (1) Ensuring that all personnel in their area of responsibility are aware of the definition of a Federal Record and their responsibility to ensure that any records created or received by any individual in their office is handled appropriately. This includes the management of email and other electronic records, which should be maintained in accordance with the subject matter or office based categories of new or existing TSA or GRS records disposition schedules;
- (2) Creating and maintaining a File Plan via TSA Form 233, *File Plan*, approved by the office's manager and TSA's Records Officer. This File Plan provides a corresponding records structure, physical and/or electronic. The Records Custodian will provide the Division/Branch/Section File Plan to the Records Liaison, who will incorporate it into an all encompassing TSA Office File Plan;
- (3) Ensuring records are managed in accordance with TSA's Records Disposition Schedule;
- (4) Working with Records Liaisons and OCC to ensure electronic records for departing employees are properly saved, dispositioned and/or destroyed in accordance with all applicable policies and Litigation Hold Notices; and
- (5) Tracking Litigation Hold Notices to ensure compliance therewith.

G. The Chief Counsel is responsible for:

- (1) Providing legal review of proposed records disposition schedules;
- (2) Providing legal guidance on general records issues and management of electronic records, including handling requests to disclose agency records for all TSA HQ employees and field sites;
- (3) Implementing, executing and managing a Litigation Holds Notice; and
- (4) Providing IMPS a copy of any records Litigation Holds Notices issued or received by the agency, and all notices that terminate or lift any hold currently in place.

H. The Privacy Officer is responsible for:

- (1) Establishing the policies for and overseeing the proper handling of record and non-record material containing Personally Identifiable Information (PII); and
- (2) Examining new or updated records systems for privacy considerations.

I. The Assistant Administrator for Acquisition is responsible for ensuring that records management requirements are properly addressed and approved in all agreements and contracts necessary to ensure that agency records are accounted for, safeguarded, and assigned proper legal custody and controls in accordance with Federal Acquisition Regulatory Part 4 requirements;

J. The Chief Security Officer is responsible for providing TSA Information Security (INFOSEC) policy for classified records in coordination with IMPS;

K. The Freedom of Information Act (FOIA) Officer, residing in the Office of Civil Rights & Liberties, Ombudsman, and Traveler Engagement, is responsible for providing guidance to facilitate timely and accurate searches for FOIA requests and Agency compliance with the FOIA and for final decisions on release ability for withholding of official documents in FOIA requests;

L. The Continuity of Operations Plan Manager (COOP Manager) is responsible for incorporating Vital Records planning in coordination with the ARO to ensure availability of essential records needed to meet operational responsibilities under national security emergencies or other emergency conditions; and

M. Employees and agency contractors are responsible for ensuring that records created or received are identified, safeguarded, and appropriately handled in accordance with this directive and records disposition instructions. Maintain personal papers and non-record materials separately from official TSA records.

6. POLICY:

A. All TSA electronic records shall be maintained, secured, and handled in accordance with applicable laws and regulations.

- B. TSA employees, with guidance from their Records Liaison and Records Custodian, shall cooperate with NARA in applying standards, procedures, and techniques which improve the management of electronic records, promoting the maintenance of those records with continuing value, and facilitating the segregation and disposal of temporary electronic records.
- C. TSA employees shall make reasonable efforts to maintain electronic records that are reproducible for purposes of statutory obligations, including the FOIA, 5 U.S.C. § 552, as well as maintaining those records that are subject to a Litigation Hold Notice.
- D. Electronic records for each TSA Office must be scheduled, file coded, maintained in a file structure or electronic information system, incorporated into a file plan, and made readily available for retrieval.
- E. All electronic records of current or departing agency employees or contractors must be identified, saved, accessible, and follow disposition guidelines from the TSA Records Disposition Schedules (RDS) or the NARA approved GRS, unless those schedules have been superseded by a Litigation Hold Notice.
- F. A Litigation Hold Notice shall be imposed when OCC determines that a given matter may lead to litigation. Once it is issued, a Litigation Hold Notice supercedes any records retention schedule (for example, either RDS or GRS) and any agency policy that may otherwise call for the transfer, disposal or destruction of the relevant records and remains in effect until rescinded.
- G. TSA employees are discouraged from conducting official business using non-official or private electronic messaging accounts (*e.g.* webmail such as Gmail, Hotmail, or Yahoo).

7. PROCEDURES: Reference TSA's [Records Management Program page](#) and *Records Management Handbook*, along with all applicable guides, manuals, SOPs, and other process directions relevant to and specific to the program and functions identified in this directive. Direct programmatic inquiries to the appropriate subordinate program office point-of-contact.

- A. All agency electronic records will be identified and incorporated into a TSA office file plan. Every office at TSA will have their electronic records listed on [TSA Form 233, File Plan](#) to reflect all electronic records created or received within that office. File plans will be updated as new electronic records are identified and filed in the records management structure. File plans will be reviewed annually by Records Custodians, in coordination with Records Liaisons. Reference the TSA Records Management Handbook for guidance.
- B. For electronic records identified that do not already have a corresponding TSA record series and disposition or GRS, the Records Liaison must submit a new disposition scheduling request via [TSA Form 285, Records Scheduling Request](#), to IMPS. Pending approval from NARA, all proposed and/or currently unscheduled records are to be considered permanent and must not be destroyed. Electronic records will be transferred to NARA in electronic format, based on their disposition schedules.
- C. All electronic records will be organized and held within a formal electronic file structure. See the [TSA Records Handbook](#) for guidance.

- D. Each TSA Office must ensure that all electronic records and electronic information systems are maintained in such a manner that the office can provide for disposition in accordance with the file plan and the file codes contained in the Records Disposition Schedule. All file structures should follow the Records Disposition Schedule file codes and allow for timely retrieval and disposition.
- E. TSA supervisors are responsible for coordinating with their respective Records Liaison/Custodian to ensure that all electronic records created or received on electronic devices (e.g., computers, laptops, notebooks, iPads, iPhones, blackberries, etc.) of departing employees or contractors, or employees turning in old equipment/devices for new, are managed properly to avoid premature destruction or loss, and to ensure TSA meets its obligations to preserve records under any applicable Litigation Hold Notice. Electronic records must be accounted for and saved on a TSA approved network drive. They must be accessible and allow for timely retrieval, and follow proper disposition guidelines outlined by the TSA Records Disposition Schedule and NARA.
- F. TSA employees may not create or send a record (which may take the form of a document, email, text message, etc.) using a non-official account unless the employee either:
 - (1) Copies his or her official TSA account in the original creation or transmission; or
 - (2) Forwards a complete copy of the record to his or her official TSA account no later than 20 days after the original creation or transmission of the record.

Notes: Under the unusual circumstances where an employee does use a non-official account to conduct official business, they **must** comply with the copying and forwarding requirements outlined above.

8. **APPROVAL AND EFFECTIVE DATE:** This policy is approved and effective the date of signature unless otherwise specified.

APPROVAL

Signed

March 16, 2017

Russell Roberts
Acting Assistant Administrator for Information
Technology/Chief Information Officer
Office of Information Technology

Date

EFFECTIVE

Date

Distribution: Assistant Administrators and equivalents, Business Management Office
Directors, and Records Liaison Officers.

Point-of-Contact: IMPS, mailto:TSARecords@tsa.dhs.gov and respective TSA Headquarters
Office/field location/Airport Records Liaison Officers.